

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WAUKESHA FLORAL AND GREENHOUSES,)
INC. (d/b/a Waukesha Floral and Waukesha)
Floral and Greenhouse))
v.) Case No.: 15-CV-1365
Plaintiff,)
JAMES POSSI)
YOUR FLORIST LLC, and)
ANN M. RICE,)
Defendants.)

**STATE FARM FIRE AND CASUALTY COMPANY'S
MOTION FOR DECLARATORY AND SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that Intervenor State Farm Fire and Casualty Company ("State Farm"), by and through its attorneys, Meissner Tierney Fisher & Nichols S.C., hereby moves this Court, pursuant to Fed. R. Civ. P 56 and 28 U.S.C. § 2201, for an order for declaratory and summary judgment declaring the following:

1. The insurance policy issued by State Farm (Policy No.: 99-CQ-4162-6) does not provide insurance coverage for the claims made and/or damages sought by the Plaintiff in this action;
2. State Farm has no continuing duty to defend and no duty to indemnify Defendants James Possi, Your Florist LLC, and Ann M. Rice in this action; and
3. State Farm is dismissed from this action on the merits and with prejudice.

This motion is supported by the attached Brief, Affidavit of Joshua J. Bryant, Proposed Findings of Fact, and other records on file in this action, as well as federal and state law.

Dated this 3rd day of April, 2017.

MEISSNER TIERNEY FISHER & NICHOLS S.C.

By: s/Mark D. Malloy
Mark D. Malloy
State Bar No: 1035066
mdm@mtfn.com
Joshua J. Bryant
State Bar No: 1095175
jjb@mtfn.com
Attorneys for Intervenor
State Farm Fire and Casualty Company

Mailing Address

111 East Kilbourn Avenue, 19th Floor
Milwaukee, WI 53202-6622
Phone: (414) 273-1300
Fax: 414-273-5840